

G1
moved to reach the desired position, said indication being provided in relation to the indicator reference frame, wherein said indication is provided by varying the one of the blink rate and color of an indicator visible to a user.

sub H1
G2
36. (Once Amended) An apparatus comprising:
a tool for use in connection with surgery;
means for determining a position of the tool relative to a desired position of the tool; and
a display disposed on the tool for indicating differences between the position of the tool and the desired position of the tool.

Please insert new claims 37-40 as follows:

G3
-- 37. (New) An apparatus, comprising:
a surgical tool;
means for determining a position of the surgical tool; and
a display mounted on the surgical tool for visually indicating a direction in which the display should be moved for the surgical tool to reach a desired position.

38. (New) The apparatus of claim 37, wherein the display includes a plurality of position indicators disposed at angular intervals so as to surround a central point.

39. (New) A method for guiding the movement of a surgical tool, said method comprising:

tracking a surgical tool with reference to a patient's anatomy;
determining a direction in which said surgical tool must be moved from an actual position to reach a desired position with respect to the patient, the desired position being indicated with reference to a diagnostic image of the patient; and

RECEIVED
JUN 25 2001
TC 3700 MAIL ROOM

indicating on a display disposed on said surgical tool the direction in which the tool must be moved from said actual position to reach said desired position, wherein said indication is provided with reference to a reference frame of said surgical tool.

40. (New) The method of claim 39, wherein said tool reference frame is defined such that the origin of said tool reference frame is at the tip of said surgical tool, wherein said tool reference frame has an axis substantially collinear with a pointing axis of said surgical tool. —

REMARKS

Applicant requests reconsideration of the application in view of the following remarks. The outstanding issues are:

- Claims 29 and 36 stand rejected under 35 U.S.C. §112, second paragraph for reasons of two informalities
- Claim 36 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,638,819 issued to Manwaring et al. (hereinafter *Manwaring*) in view of U.S. Patent No. 4,654,701 issued to Yabe (hereinafter *Yabe*)
- Claim 29 has been indicated as being allowable and claims 1, 6-13, 15, 22, 26 and 31 have been allowed

I. In General

Claims 1, 6-13, 15, 22, 26, 29, 31, and 36-40 are pending. Applicant thanks the Examiner for allowing claims 1, 6-13, 15, 22, 26 and 31 and for indicating that claim 29 would be allowable if rewritten in independent form. Applicant has amended independent claim 36 and dependent claim 29. New claims 37-40 have been presented for consideration.